



STATE REPRESENTATIVE  
**JOSH ZEPNICK**  
WISCONSIN STATE ASSEMBLY

February 14, 2008

Senate Committee on Judiciary, Corrections and Housing  
Senator Lena Taylor, Chair

Dear Chairman Taylor and Members of the Committee on Judiciary, Corrections and Housing:

As the lead author of SB 278 I would like to thank you for holding a public hearing on this bill.

SB 278 attempts to address the growing problem of crimes against employees of the City of Milwaukee while they are performing their official duties. This bill was drafted at the request of the City of Milwaukee and its employees, specifically city inspectors. Currently, there are increased penalties for a person who commits battery against certain government officials, employees, and agents, such as law enforcement officers or fire fighters. SB 278, with the proposed amendment, extends these increased penalties to employees enforcing state, county, or city rules, laws, or ordinances throughout the state. The particular persons this bill is intended to protect are building inspectors.

Under current law, a person who intentionally causes bodily harm to another without the other person's consent commits the crime of ordinary battery. A person convicted of ordinary battery may be fined not more than \$10,000, imprisoned for not more than nine months, or both. Current law provides more severe penalties for battery committed under certain circumstances against certain government officials, employees, and agents. Current law also prohibits threatening to cause bodily harm to some of those individuals under certain circumstances. Under this bill, if a person intentionally causes bodily harm or threatens to cause bodily harm to an employee of a first class city, other than a law enforcement officer or fire fighter, the person may be fined not more than \$10,000, sentenced to a term of imprisonment of not more than six years, or both.

Every day, employees of cities and counties all over Wisconsin put themselves into harms way enforcing the city and state's codes. For them to effectively do their jobs and serve all parts of the city it is necessary for these employees to occasionally have contact with sometimes hostile citizens. This legislation will provide extra protections for these people who are just trying to do their jobs and serve the citizens of Wisconsin.

I would like to thank Chairman Taylor and the members of the Judiciary, Corrections and Housing Committee again for having a public hearing on AB 525, and I respectfully request that the committee give its unanimous support to this important legislation.

Sincerely,

Josh Zepnick  
State Representative  
9<sup>th</sup> Assembly District

# Spencer Coggs



## State Senator

### Senate Bill 278, Senate Amendment 1 Harm to City Inspectors February 14, 2008

Madam Chair and Members,

Thank you for holding a hearing on Senate Bill 278. This bill introduced by Representative Josh Zepnick and myself seeks to establish protections for municipal inspectors who are physically assaulted in the course of their official duties. The bill, as amended, would protect municipal inspectors from bodily harm by:

- Creating a Class I felony for the actor. This is in line with the criminal penalties for assault of state inspectors.
- Creates a standard by which it must be proven that the actor knows or should know that the victim is an employee of the municipality.
- The victim must be enforcing or conducting an inspection of a state, county, city, village or town zoning ordinance, building code, or construction regulation.
- There is no consent by the victim to be assaulted.

This bill extends the same protections currently offered to police officers, firefighters, and state inspectors, to municipal inspectors. As a former City of Milwaukee Health Inspector, I know the dangers that these employees face in attempting to do their job. These inspectors are on the front line of law enforcement and code enforcement and are often faced with people displeased with the decisions they must make. This bill would serve as a deterrent for those who would consider doing harm to these employees.

The amendment before you has been offered in response to concerns expressed in the Assembly Committee on Criminal Justice that the original bill created a penalty stronger than that for the same crime committed against a police officer. A concern was also expressed that the bill did not offer coverage to inspectors statewide. The provisions in the amendment cover these incidents. The amendment was adopted unanimously in the Assembly committee and the bill as amended received a strong bipartisan vote in the committee as well.

Thank you for your consideration of Senate Bill 278.